

Amendment No. 1 to SB2630

**Norris
Signature of Sponsor**

AMEND Senate Bill No. 2630

House Bill No. 2626*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504(a)(2), is amended by deleting subdivision (A) and substituting instead the following:

(A)

(i) All investigative records of the Tennessee bureau of investigation, the office of inspector general, all criminal investigative files of the department of agriculture and the department of environment and conservation, all criminal investigative files of the motor vehicle enforcement division of the department of safety relating to stolen vehicles or parts, all criminal investigative files and records of the Tennessee alcoholic beverage commission, and all files of the handgun carry permit and driver license issuance divisions of the department of safety relating to bogus handgun carry permits and bogus driver licenses issued to undercover law enforcement agents shall be treated as confidential and shall not be open to inspection by members of the public. The information contained in such records shall be disclosed to the public only in compliance with a subpoena or an order of a court of record; provided, however, that such investigative records of the Tennessee bureau of investigation shall be open to inspection by elected members of the general assembly or by members of a standing, joint, or ad hoc committee appointed specifically to study unsolved civil rights crimes that occurred between 1938 and 1975 and that is composed of elected members of the general assembly, if such inspection is directed by a duly adopted resolution of either house or a majority vote of a standing or joint committee of either house, or such ad hoc committee. Any record inspected pursuant to this exception shall maintain its

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confidentiality throughout the inspection. Records shall not be available to any member of the executive branch except to the governor and to those directly involved in the investigation in the specified agencies.

(ii) As part of any duly adopted resolution directing an inspection of such investigative records of the Tennessee bureau of investigation by elected members of the general assembly or members of a standing or joint committee, or any ad hoc committee appointed specifically to study unsolved civil rights crimes that occurred between 1938 and 1975 and that is composed of elected members of the general assembly pursuant to subdivision (a)(2)(A)(i), the general assembly may appoint a designee to perform the inspection on behalf of the elected members.

(iii) Any designee appointed pursuant to subdivision (a)(2)(A)(ii) shall:

(a) Be a licensed attorney employed by the office of legal services for the general assembly;

(b) Submit to a background check of a nature to be determined by the Tennessee bureau of investigation but no less than a fingerprint background check performed by both the Tennessee bureau of investigation and the federal bureau of investigation;

(c) Pay any fees normally charged by each bureau for conducting a background check of the nature performed;

(d) Be limited to inspection of records in possession of and involving investigations conducted by the Tennessee bureau of investigation into unsolved civil rights crimes that occurred between 1938 and 1975;

(e) Designate prior to inspection the specific victim, defendant, or crime for which inspection of records is requested;

(f) Maintain the confidentiality of the investigative records throughout and after the inspection process;

(g) Only disclose information pertaining to the records with the elected members of the general assembly designated by the resolution that directs the inspection; and

(h) Not be related to any person, whether defendant, victim, or law enforcement official, involved in the civil rights investigation for which inspection of records is requested nor otherwise have a conflict of interest with any person, place, or event that is or is likely to be contained in the requested records.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.